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EXAMINER

NGUYEN, KEVIN M

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,360

Applicant(s)

NAKANO ET AL.

Examiner

Kevin M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-14, 16, 18-20 and 22-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14, 16, 18-20 and 22-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is made in response to applicant's amendment filed on 10/27/2005. Claims 10, 15, 17 and 21 are cancelled, claims 1, 5, 9, 16, 18, 19, 20, 26 and 27 are amended, and claim 28 is new. Thus, claims 1-9, 11-14, 16, 18-20 and 22-28 are currently pending in the application. Applicant's arguments, see pages 10-12, with respect to the rejections of claims 1-9, 11-14, 16, 18-20 and 22-28 under the statutory basis for the previous rejection have been fully considered and are not persuasive. Therefore, the rejection has been maintained. It is respectfully submitted that applicant's amendment with respect to the claims 1-9, 11-14, 16, 18-20 and 22-28 necessitated the new grounds of rejection presented in this Office action.

Claim Objections

2. Applicant is advised that should claims 1, 5, 9, 16, 18, 19 and 20 be found allowable, claims 26, 27 and 28 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 11-14, 16, 18-20 and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lichtenstein (previously cited, US 5,428,417) in view of Marshall (newly cited, US 6,492,977).

5. As to claims 1, 5, 18 and 19, Lichtenstein teaches an information processing system associated with a method and a storage medium readable, the information processing system comprising:

an operation screen unit (a touch display panel 19, see fig. 1),

a first control circuit (control electronics 17, see fig. 1),

an operation mode selecting unit (menu of displayed icons 22, fig. 1).

Accordingly, Lichtenstein teaches all of the claimed limitation except wherein a first mode is settable to provide a first function corresponding to the touch operation including a touch position without displaying a predetermined shape marker indicative of a detection of a touch in the touch position if the touch operation is detected on said operation screen unit, and a second mode is settable to provide a second function of displaying the predetermined shape marker indicate of the detection of the touch in the touch position if the touch operation is detected on said operation screen unit, without executing the first function corresponding to touch operation including the touch position.

However, Marshall teaches a KeyGuide icon which represents the key layout on the screen as controlled by the application, see col. 1, lines 43-46, comprising: a PageSelect mode, see Fig. 1, is used to select a first mode (a KeyPage 2, see Fig. 4). The first mode (a KeyPage 2, see Fig. 5) is settable to provide a first function [a plurality

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of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6] corresponding to the input operation including a input position [The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15] without displaying a predetermined shape marker [The KeyGuide can be any shape e.g. rectangular, semicircular etc. and can appear any shape on the screen e.g. rectangular, so that the representation on the screen is a diagrammatic representation of the KeyGuide with the relative position of the keys shown, see col. 1, line 66 through col. 2, line 3] indicative of a detection of an input in the input position if the input operation is detected on said operation screen unit [Using the Text KeyPage Set as an example, to change their function from "alphabet" to another function, a PageSelect key is operated. Other functions which can be controlled from the KeyPage keys are, for example lists:- lists of files, tag list, windows list and options list. Using the unallocated KeyPage for a list of files (for instance) means that the KeyPage would then be able to display the list required, see col. 2, line 66 through col. 3, line 6];

a PageSelect mode, see Fig. 1, is used to select a second mode (a KeyPage 2, see Fig. 6). The second mode (a KeyPage 2, see Fig. 6) is settable to provide a second function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6] of displaying the predetermined shape marker [The KeyGuide can be any shape e.g. rectangular, semicircular etc. and can appear any

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shape on the screen e.g. rectangular, so that the representation on the screen is a diagrammatic representation of the KeyGuide with the relative position of the keys shown, see col. 1, line 66 through col. 2, line 3] indicate of the detection of the input in the input position if the input operation is detected on said operation screen unit [The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15], without executing the first function corresponding to input operation including the input position [These PageSelect keys can operate on the other key groups changing the operation of the other keys. There need not be a large number of PageSelect keys, as the PageSelect keys gives the KeyPage Sets different functions. The KeyPage keys are the main set of keys and there should be sufficient in number to cover the alphabet and other function keys. Preferably they are present in a matrix, e.g. 6x5. By using a PageSelect key, the number of keys easily accessed is greatly increases as these keys will change the actions of most of the other keys and cause the display to be updated. For simple applications where there are only a few actions the KeyGuide display can be fixed (i.e. no display unit), or an overlay approach used with a different overlay for different tasks, see col. 2, lines 52-65].

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the first mode and second mode of the information processing system as taught by Marshall in the touch panel and another

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pointing device of Lichtenstein in order to achieve the benefit of the keys/icon projected onto a screen, see Marshall's abstract, a system control for use as a terminal or with other equipment with is adapted or connected to a system into which instructions are to be transmitted, see Marshall, col. 4, lines 57-61, because this would provide the keys/icons operated is easily identified by means of the KeyGuide, see Marshall, col. 5, lines 26-27.

6. As to claims 2 and 6, the combination of Lichtenstein and Marshall teaches a connecting module (control electronics 16, see Lichtenstein's fig. 1), a display device (the audience viewing screen 28, see Lichtenstein's fig. 1, col. 6, lines 39-40), a first display control unit (control electronics 17, see Lichtenstein's fig. 1);

the second mode is settable to provide a second function of displaying a marker for indicating a detection of the touch in at least one of a input position and a display position on said display device which is determined based on the input operation if the input operation is detected on said operation screen unit, the second function is provided instead of the first function or together with the first function [a PageSelect mode, see Fig. 1, is used to select a second mode (a KeyPage 2, see Marshall's Fig. 6). The second mode (a KeyPage 2, see Marshall's Fig. 6) is settable to provide a second function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different

way, see col. 3, lines 10-15. These PageSelect keys can operate on the other key groups changing the operation of the other keys. There need not be a large number of PageSelect keys, as the PageSelect keys gives the KeyPage Sets different functions. The KeyPage keys are the main set of keys and there should be sufficient in number to cover the alphabet and other function keys. Preferably they are present in a matrix, e.g. 6x5. By using a PageSelect key, the number of keys easily accessed is greatly increases as these keys will change the actions of most of the other keys and cause the display to be updated. For simple applications where there are only a few actions the KeyGuide display can be fixed (i.e. no display unit), or an overlay approach used with a different overlay for different tasks, see Marshall, col. 2, lines 52-65].

7. As to claims 3 and 7, Lichtenstein teaches a first control unit (control electronics, fig. 1) executes the control so that the information is exclusively displayed on any one of the display device (28) and the operation screen unit (the touch switch 31, fig. 1).

8. As to claims 4 and 8, the combination of Lichtenstein and Marshall teaches a connecting module (control electronics 16, see Lichtenstein's fig. 1), an operation screen unit (a touch display panel 19, see Lichtenstein's fig. 1), a second control unit (control electronics 16 of projector 10, see Lichtenstein's fig. 1), a first display control unit comprises a CRT.C 9 (CRT controller, see Lichtenstein's fig. 1) for controlling said CRT display device 26 (see Lichtenstein's fig. 1) and said touch switch 31 (see Lichtenstein's fig. 1), item of information is different from those on the touch panel 19 and displayed on only the screen 5a of the projector 10 by touching the touch panel 19 (see Lichtenstein's fig. 1);

the second mode is settable to provide a second function of displaying a marker for indicating a detection of the touch in at least one of a input position and a display position on said display device which is determined based on the input operation if the input operation is detected on said operation screen unit, the second function is provided instead of the first function or together with the first function [a PageSelect mode, see Fig. 1, is used to select a second mode (a KeyPage 2, see Marshall's Fig. 6). The second mode (a KeyPage 2, see Marshall's Fig. 6) is settable to provide a second function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15. These PageSelect keys can operate on the other key groups changing the operation of the other keys. There need not be a large number of PageSelect keys, as the PageSelect keys gives the KeyPage Sets different functions. The KeyPage keys are the main set of keys and there should be sufficient in number to cover the alphabet and other function keys. Preferably they are present in a matrix, e.g. 6x5. By using a PageSelect key, the number of keys easily accessed is greatly increases as these keys will change the actions of most of the other keys and cause the display to be updated. For simple applications where there are only a few actions the KeyGuide display can be fixed (i.e. no display unit), or an overlay approach used with a different overlay for different tasks, see Marshall, col. 2, lines 52-65].

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9. As to claim 26, Lichtenstein teaches the information processing system comprising:

an operation screen unit [an operation screen unit, see col. 13, lines 7-10] displaying information and detecting a touch operation by a user on a surface thereof [all modalities and control commands are initiated by touching display panel 19 either within the margin 19a and 19b to select a modality or, within display area 19c to control the position or orientation of a selected graphic icon or alpha numeric label, see col. 13, lines 7-10];

a display control unit [a CPU 71, see fig. 5]) controlling display of the information on the operation screen unit [a CPU 71 controls display information (see figs. 11A and 11B) on the operation screen unit, see col. 21, lines 4-17].

Accordingly, Lichtenstein teaches all of the claimed limitation, except where a first mode is settable to display a predetermined shape marker indicative of a touch corresponding to a touch position of the detected touch operation, and a second mode is settable to execute a command corresponding to the touch position without displaying the marker indicative of the detection of the touch.

However, Marshall teaches a KeyGuide icon which represents the key layout on the screen as controlled by the application, see col. 1, lines 43-46, comprising: where a first mode is settable to display a predetermined shape marker [The KeyGuide can be any shape e.g. rectangular, semicircular etc. and can appear any shape on the screen e.g. rectangular, so that the representation on the screen is a diagrammatic representation of the KeyGuide with the relative position of the keys shown, see col. 1,

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line 66 through col. 2, line 3] indicative of a touch corresponding to a input position of the detected input operation [a PageSelect mode, see Fig. 1, is used to select a first mode (a KeyPage 2, see Fig. 4). The first mode (a KeyPage 2, see Fig. 5) is settable to provide a first function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15],

and a second mode is settable to execute a command corresponding to the touch position without displaying the marker indicative of the detection of the touch [a PageSelect mode, see Fig. 1, is used to select a second mode (a KeyPage 2, see Marshall's Fig. 6). The second mode (a KeyPage 2, see Marshall's Fig. 6) is settable to provide a second function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15. These PageSelect keys can operate on the other key groups changing the operation of the other keys. There need not be a large number of PageSelect keys, as the PageSelect keys gives the KeyPage Sets different functions. The KeyPage keys are the main set of keys and there should be sufficient in number to

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cover the alphabet and other function keys. Preferably they are present in a matrix, e.g. 6x5. By using a PageSelect key, the number of keys easily accessed is greatly increases as these keys will change the actions of most of the other keys and cause the display to be updated. For simple applications where there are only a few actions the KeyGuide display can be fixed (i.e. no display unit), or an overlay approach used with a different overlay for different tasks, see Marshall, col. 2, lines 52-65].

10. As to claims 14 and 25, the combination of Lichtenstein and Marshall teaches a connecting module [(control electronics 16, see Lichtenstein's fig. 1), a display device (the audience viewing screen 28, see Lichtenstein's fig. 1, col. 6, lines 39-40), a first display control unit (control electronics 17, see Lichtenstein's fig. 1)] to which other display device on which to set display coordinates corresponding to the coordinates on said display unit, is connected, wherein said display control unit controls display of information on at least one of said display unit and said other display device, and displays the marker on at least one of said display unit and said other display device on which the information is being displayed [As well as being used with a conventional computer the keyboard of the present invention can be used with a system control for use as a terminal for use e.g. with the "Internet" and can be used in conjunction with a television such as when it is part of an interactive service or with other equipment which is adapted or connected to a system into which instructions etc. are to be transmitted, see col. 4, lines 55-61].

11. As to claim 27, Lichtenstein teaches an information processing system associated with a method the information processing system comprising: an operation

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screen unit (a touch display panel 19, see fig. 1), and an operation mode selecting unit (menu of displayed icons 22, see fig. 1).

Accordingly, Lichtenstein teaches all of the claimed limitation except switchably processing information of a touch operation having a touch position, where a first mode executes a function in relation to the touch operation without displaying a predetermined shape marker indicative of a detection if the touch position of the touch operation when the touch operation is detected, and a second mode displaying the predetermined shape marker indicative of the detection of the touch position of the touch operation without executing the function of the touch operation.

However, Marshall teaches a KeyGuide icon which represents the key layout on the screen as controlled by the application, see col. 1, lines 43-46, comprising: a PageSelect mode, see Fig. 1, executing a first mode (a KeyPage 2, see Fig. 4). The first mode (a KeyPage 2, see Fig. 5) is settable to provide a first function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15. The KeyGuide can be any shape e.g. rectangular, semicircular etc. and can appear any shape on the screen e.g. rectangular, so that the representation on the screen is a diagrammatic representation of the KeyGuide with the relative position of the keys shown, see col. 1, line 66 through col. 2, line 3. Using the Text KeyPage Set as an

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example, to change their function from "alphabet" to another function, a PageSelect key is operated. Other functions which can be controlled from the KeyPage keys are, for example lists:- lists of files, tag list, windows list and options list. Using the unallocated KeyPage for a list of files (for instance) means that the KeyPage would then be able to display the list required, see col. 2, line 66 through col. 3, line 6];

a PageSelect mode, see Fig. 1, executing a second mode (a KeyPage 2, see Fig. 6). The second mode (a KeyPage 2, see Fig. 6) is settable to provide a second function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyGuide can be any shape e.g. rectangular, semicircular etc. and can appear any shape on the screen e.g. rectangular, so that the representation on the screen is a diagrammatic representation of the KeyGuide with the relative position of the keys shown, see col. 1, line 66 through col. 2, line 3. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15. These PageSelect keys can operate on the other key groups changing the operation of the other keys. There need not be a large number of PageSelect keys, as the PageSelect keys gives the KeyPage Sets different functions. The KeyPage keys are the main set of keys and there should be sufficient in number to cover the alphabet and other function keys. Preferably they are present in a matrix, e.g. 6x5. By using a PageSelect key, the number of keys easily accessed is greatly increases as these keys will change the

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actions of most of the other keys and cause the display to be updated. For simple applications where there are only a few actions the KeyGuide display can be fixed (i.e. no display unit), or an overlay approach used with a different overlay for different tasks, see col. 2, lines 52-65].

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the first mode and second mode of the information processing system as taught by Marshall in the touch panel and another pointing device of Lichtenstein in order to achieve the benefit of the keys/icon projected onto a screen, see Marshall's abstract, a system control for use as a terminal or with other equipment with is adapted or connected to a system into which instructions are to be transmitted, see Marshall, col. 4, lines 57-61, because this would provide the keys/icons operated is easily identified by means of the KeyGuide, see Marshall, col. 5, lines 26-27.

12. Claim 28 shares the same limitations as those of claim 27 and therefore the

13. As to claims 9, 16 and 20, Lichtenstein teaches an information processing system associated with a method and a storage medium readable, the information processing system comprising:

an operation screen unit (a touch display panel 19, see fig. 1),

a first control circuit (control electronics 17, see fig. 1),

an operation mode selecting unit (menu of displayed icons 22, see fig. 1).

a operation mode for displaying a marker for a predetermined time [as illustrated in Fig. 6, maintain display real time synchronism at the frame period of 33,333

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microseconds for the display of this embodiment requires a frame interrupt of 115 microseconds or one row period for display panel 19 while the same row period is added to from delay 106 for a total frame interrupt period of 3806 microseconds for LMA 32, see col. 11, line 67 through col. 12, lines 5].

Accordingly, Lichtenstein teaches all of the claimed limitation, except for an operation mode selecting unit selecting any one of a first operation mode for providing a first function of executing a normal command corresponding to the operator's input operation using said pointing device without displaying the predetermined shape marker, and a second operation mode for displaying the marker for a predetermined time without executing the normal command corresponding to the operator's input operation using the pointing device.

However, Marshall teaches a KeyGuide icon which represents the key layout on the screen as controlled by the application, see col. 1, lines 43-46, comprising: an operation mode selecting unit selecting any one of a first operation mode for providing a first function of executing a normal command corresponding to the operator's input operation using said pointing device without displaying the predetermined shape marker [The KeyGuide can be any shape e.g. rectangular, semicircular etc. and can appear any shape on the screen e.g. rectangular, so that the representation on the screen is a diagrammatic representation of the KeyGuide with the relative position of the keys shown, see col. 1, line 66 through col. 2, line 3] indicative of a detection of an input in a input position of the operator's input operation [a PageSelect mode, see Fig. 1, is used to select a first mode (a KeyPage 2, see Fig. 4). The first mode (a KeyPage 2, see Fig.

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5) is settable to provide a first function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15], and a second operation mode for displaying the marker for a predetermined time without executing the normal command corresponding to the operator's input operation using the pointing device [a PageSelect mode, see Fig. 1, is used to select a second mode (a KeyPage 2, see Marshall's Fig. 6). The second mode (a KeyPage 2, see Marshall's Fig. 6) is settable to provide a second function [a plurality of different groups or matrices of keys which can have different functions, see col. 2, lines 5-6. The KeyPage keys can be used in place of a mouse; either by using an available KeyPage (e.g. PageSelect 4) or by selecting a mouse substitute KeyPage Set from an Option key or KeyPage key option. Using this KeyPage Set, each KeyPage allows the cursor or mouse pointer to be controlled in a different way, see col. 3, lines 10-15. These PageSelect keys can operate on the other key groups changing the operation of the other keys. There need not be a large number of PageSelect keys, as the PageSelect keys gives the KeyPage Sets different functions. The KeyPage keys are the main set of keys and there should be sufficient in number to cover the alphabet and other function keys. Preferably they are present in a matrix, e.g. 6x5. By using a PageSelect key, the number of keys easily accessed is greatly increases as these keys will change the actions of most of the other keys and cause the

display panel 19 while the same row period is added to from delay 106 for a total frame interrupt period of 3806 microseconds for LMA 32, see Lichtenstein, col. 11, line 67 through col. 12, lines 5. The Option and Action keys operation will vary depending on the KeyPage set in use, see Marshall col. 3, lines 38-39. Typical of at least one of those keys operations, e.g., Delete key is used to change the way the icon/marker which is not displaying or erasing, the "DEL" key/icon is directly displayed on the screen at the left column in Figs. 3-5, see Marshall, col. 3, lines 45-51].

16. As to claims 13 and 24, Lichtenstein teaches the touch display panel 19 (see fig. 1) is a pointing device.

Response to Arguments

17. Applicant's arguments filed 10/27/2005 have been fully considered but they are not persuasive. Applicant argues features in the independent claims 1, 5, 9, 16, 18, 19, 20, 26, 27 and 28 that are newly recited. Thus, new grounds of rejection have been used. See rejections above. Applicant argues that "For example, as recited in claim 9, "said display control unit erases the marker after the marker has been displayed for a predetermined time." The Okamoto method does not teach or suggest these features of claim 9," see remarks at page 11. In response, the Examiner respectfully disagrees because that feature is not recited in independent claim 9 instead of dependent claim 11. Therefore, the argument is not moot. Furthermore, it is noted that the features upon which applicant relies (i.e., "said display control unit erases the marker after the marker has been displayed for a predetermined time") are not recited in the rejected claim 9. Although the claims are interpreted in light of the specification, limitations from the

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display panel 19 while the same row period is added to from delay 106 for a total frame interrupt period of 3806 microseconds for LMA 32, see Lichtenstein, col. 11, line 67 through col. 12, lines 5. The Option and Action keys operation will vary depending on the KeyPage set in use, see Marshall col. 3, lines 38-39. Typical of at least one of those keys operations, e.g., Delete key is used to change the way the icon/marker which is not displaying or erasing, the "DEL" key/icon is directly displayed on the screen at the left column in Figs. 3-5, see Marshall, col. 3, lines 45-51].

16. As to claims 13 and 24, Lichtenstein teaches the touch display panel 19 (see fig. 1) is a pointing device.

Response to Arguments

17. Applicant's arguments filed 10/27/2005 have been fully considered but they are not persuasive. Applicant argues features in the independent claims 1, 5, 9, 16, 18, 19, 20, 26, 27 and 28 that are newly recited. Thus, new grounds of rejection have been used. See rejections above. Applicant argues that "For example, as recited in claim 9, "said display control unit erases the marker after the marker has been displayed for a predetermined time." The Okamoto method does not teach or suggest these features of claim 9," see remarks at page 11. In response, the Examiner respectfully disagrees because that feature is not recited in independent claim 9 instead of dependent claim 11. Therefore, the argument is not moot. Furthermore, it is noted that the features upon which applicant relies (i.e., "said display control unit erases the marker after the marker has been displayed for a predetermined time") are not recited in the rejected claim 9. Although the claims are interpreted in light of the specification, limitations from the

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specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

For these reasons, the rejections based on Lichtenstein and Marshall have been maintained.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Nguyen whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone


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number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Nguyen
Patent Examiner
Art Unit 2674

KMN
January 7, 2006



PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER